

FILED 08 JUL 14 15:06 USDC-ORP

AO 247 (02/08) Order Regarding Motion for Sentence Reduction

## UNITED STATES DISTRICT COURT

for the

District of Oregon

United States of America  
v.  
SHAWN RASHAD JONES

)  
)

Case No: Cr 05-274-KI

USM No: \_\_\_\_\_

Ellen C. Pitcher

Defendant's Attorney

Date of Previous Judgment: 08/18/2006  
(Use Date of Last Amended Judgment if Applicable)

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months is reduced to \_\_\_\_\_.

## I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: \_\_\_\_\_

Amended Offense Level: \_\_\_\_\_

Criminal History Category: \_\_\_\_\_

Criminal History Category: \_\_\_\_\_

Previous Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months

Amended Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months

## II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☐ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain): \_\_\_\_\_

## III. ADDITIONAL COMMENTS

Jones pled guilty to possession with the intent to distribute 50 grams or more of a mixture or substance containing a detectable amount of cocaine base, in violation of 21 U.S.C. §§ 841(a) and 841(b)(1)(A). I accepted the parties plea agreement made under Fed. R. Crim. P. 11(c)(1)(C) and sentenced Jones to the 120-month mandatory minimum sentence. His sentence cannot be lowered. US v. Mullanix, 99 F.3d 323, 324 (9th Cir. 1996).

Except as provided above, all provisions of the judgment dated 08/18/2006 shall remain in effect.

IT IS SO ORDERED.

Order Date: 07/14/2008

Effective Date: \_\_\_\_\_  
(if different from order date)

  
Judge's signature

Garr M. King, United States District Judge

Printed name and title